

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MASSACHUSETTS

BOYD FULTON,  
Plaintiff

v.

TOWN OF HULL, MASSACHUSETTS,  
Defendant

Civil Action No.2004 CV 11234 MEL  
MEL

**MOTION TO SUPPLEMENT**  
**REQUEST FOR AN**  
**AWARD OF ATTORNEYS' FEES**

Boyd Fulton (the Plaintiff) moves this Honorable Court for leave to supplement his request for an a award of attorneys' fees and costs in connection with work performed since the filing of Plaintiff's original Motion For An Award Of Attorneys' Fees And Costs. In support hereof, Plaintiff says that the additional fees sought relate to time expended preparing to counter the arguments made in Defendant's Opposition thereto.

The amounts requested total \$17,966.40 as set forth in the Addendum to the Affidavit of Mark D. Stern, submitted herewith. In support thereof the Plaintiff says under Massachusetts law the time expended establishing or defending a fee should be included in the final calculation of the award. *Stratos v. Dep't of Public Welfare*, 387 Mass. 312, 439, N.E.2d 778, 787 (1982); see also, *Draper v. Town Clerk of Greenfield*, 384 Mass. 444 (1981).

By his attorney,  
Mark D. Stern

BBO #479500  
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Dated: November 15, 2006

CERTIFICATE OF SERVICE

I hereby certify that on this date, November 15, 2006 I caused to be served a copy of the above document on the Defendant by mailing a copy, first class, postage prepaid to its attorney James B. Lampke, 115 North Street, Hingham, MA 02043

Signed:

Mark D. Stern